

therein, and said judgment shall include as a part of the just compensation awarded, interest at the rate of six per centum per annum on the amount finally awarded as the value of the property as of the date of taking, from said date to the date of payment; but interest shall not be allowed on so much thereof as shall have been paid into said registry. No sum so paid into said registry shall be charged with commissions or poundage.

Upon the application of the parties in interest the Court may order that the money so deposited in the registry of the Court, or any part thereof, be paid forthwith for or on account of the just compensation to be awarded in said proceedings. If the compensation finally awarded in respect of said lands or any parcel thereof shall exceed the amount of money so deposited in the registry of the Court or received by any person entitled, the Court shall enter judgment against said Commission for the amount of the deficit, and if the compensation finally awarded in respect of said lands or any parcel thereof shall be less than the amount of money so deposited, the Commission may recover the excess so paid to any of such persons by an action at law.

Upon the filing of a declaration of taking, the Court shall have power to fix the time within which, and the terms upon which, the parties in possession shall be required to surrender possession to said Commission. The Court shall have power to make such orders in respect to encumbrances, liens, rents, taxes, assessments, insurance and other charges, if any, as shall be just and equitable.

Upon the filing of said declaration of taking and the deposit in the registry of the Court, to the use of the persons entitled thereto, of the amount of the estimated compensation stated in said declaration, said Commission may apply to the Court without notice, unless the Court shall require notice to be given, for a writ of possession, and the Court shall thereupon cause such writ to be issued, which shall be executed in the same manner as when issued in other cases for the delivery of possession of real property.

If the Commission shall not have acquired possession of such lands under the declaration of taking as herein provided at any time after ten days after the return or recordation of the verdict of award in said proceedings the said Commission may enter and take possession of the property so condemned, upon first paying the Clerk of the Court all costs taxed to date, and depositing in the registry of the Court, to the use of the persons entitled thereto, the amount of said award with interest at the rate of six per centum per annum from the date thereof to the date of said deposit, notwithstanding any appeal or further proceedings upon the part of the defendant,